

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SYLRETHA SMITH,
vs.
SMITH'S FOOD & DRUG CENTERS,
INC., et al.,
Plaintiff,
Defendants.)
Case No. 2:14-cv-00681-APG-NJK
ORDER DENYING PROPOSED
DISCOVERY PLAN AND
SCHEDULING ORDER
(Docket No. 14)

Pending before the Court is the parties' Proposed Discovery Plan and Scheduling Order. Docket No. 14. For the reason described below, the proposed Discovery Plan is hereby **DENIED** without prejudice.

Local Rule 26-1(e) establishes 180 days as the presumptive discovery period, “measured from the date the first defendant answers or otherwise appears[.]” Here, the parties request 180 days from the date of their Fed. R. Civ. P. 26(f) conference, rather than from the date the defendant first appeared. Docket No. 14, at 1-2. The parties provide no reason why the discovery period should be calculated from the date of their Fed. R. Civ. P. Rule 26(f) conference. Such calculation is, in reality, a request for a longer discovery period than the presumptive 180 days. If the parties wish to request a longer discovery period, the Discovery Plan must state on its face “SPECIAL SCHEDULING REVIEW REQUESTED,” and indicate why longer or different time periods should apply. LR 26-1(d).

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The Court hereby **ORDERS** the parties in this case to submit a joint proposed Discovery Plan and Scheduling Order in full compliance with the Federal Rules of Civil Procedure and the Local Rules of this Court, no later than July 9, 2014.

IT IS SO ORDERED.

DATED this 2nd day of July, 2014.



NANCY J. KOPPE
United States Magistrate Judge